

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI**

IN RE:)	
)	
HAL BRADLEY TEETER, Debtor	)	Case No. 14-45360
)	
Sunnydale Mobile Home Park, LLC, Creditor	)	Chapter 13
)	
vs.	)	Motion to Lift Stay filed by Sunnydale Mobile Home Park, LLC
)	
Hal Bradley Teeter, Debtor	)	Steinberg & Steinberg, LLC
	)	655 Craig Road, Ste. 338
and	)	St. Louis, MO 63141
	)	(314) 994-9400
)	
John V. LaBarge, Jr., Trustee	)	Hearing Date: January 5, 2015
	)	Hearing Time: 10:00 A.M.
	)	Objection Deadline: December 30, 2014

**NOTICE OF HEARING AND
MOTION FOR RELIEF FROM AUTOMATIC STAY**

WARNING: ANY RESPONSE OR OBJECTION MUST BE FILED WITH THE COURT BY DECEMBER 30, 2014 (SEE L.B.R. 9013-1). A COPY MUST BE PROMPTLY SERVED UPON THE UNDERSIGNED. FAILURE TO FILE A TIMELY RESPONSE MAY RESULT IN THE COURT GRANTING THE RELIEF REQUESTED PRIOR TO THE HEARING DATE. THE HEARING TO BE HELD ON THE DATE AND TIME ABOVE BEFORE THE HONORABLE KATHY A. SURRATT-STATES, IN THE UNITED STATES BANKRUPTCY COURT, EASTERN DISTRICT OF MISSOURI, 111 SOUTH 10TH STREET, FLOOR 7, NORTH COURTROOM, ST. LOUIS, MISSOURI 63102.

COMES NOW, Sunnydale Mobile Home Park, LLC, Landlord ("Creditor"), by and through its attorneys, Steinberg & Steinberg, L.L.C., and for its Motion for Order Granting Relief from the Automatic Stay, respectfully states as follows:

1. Hal Bradley Teeter ("Debtor") filed a Petition for relief under Chapter 7 of the United States Code ("Code") on July 3, 2014.

2. This Court has jurisdiction over this matter pursuant to 11 U.S.C. Section 362 and 365, and Bankruptcy Rule 4001.

3. Movant is the holder of a month to month Lease Agreement executed by Debtor on or about July 1, 2013, for the premises located at 37 Greendale Drive, Sunnysdale Mobile Home Park, St. Charles, Missouri , 63301 at the monthly rate of \$347.00. Most recently and effective May 2014, monthly rent increased to \$362.00 per month. Debtor owns and maintains his own manufactured home on these premises. A true and correct copy of said Lease Agreement is attached hereto and incorporated by reference herein as Exhibit No. 1.

4. Debtor is in default of his lease obligation under the Lease Agreement by reason of his failure to make certain rent, late fee, water and sewer fees, and additional rent payments for two months prior to the filing date. Specifically, debtor's pre-petition arrearage is \$942.30.

5. As a result of Debtor's failure to pay, Landlord filed suit for Rent and Possession on or about July 9, 2014, in the Circuit Court of St. Charles County, State of Missouri, case number 1411-AC04399. Due to the automatic stay, the case has been set on a bankruptcy docket for December 22, 2014 pending the status of Debtor's Chapter 13 case.

6. Debtor remains in default of the terms of the Lease by reason of his failure to make post-petition rent, late fee, water and sewer fees, and additional rent payments for two months in the amount of \$1,326.30.

7. Since the initiation of this proceeding, Movant has been prohibited by the automatic stay of 11 U.S.C. Section 362 from pursuing its rent and possession lawsuit to secure possession of the premises, as may be appropriate under Missouri law.

8. Cause exists pursuant to 11 U.S.C. Section 362(d)(1) to terminate the automatic stay as a result of non-payment of rent.

9. Relief from stay is appropriate in accordance with 11 U.S.C. Section 362(d)(2) in that Debtor has no equity in Landlord's property and such property is not necessary to an effective reorganization.

WHEREFORE, Sunnydale Mobile Home Park, LLC prays for an Order of this Court granting its Motion for Relief from the Automatic Stay to enable it to proceed with its Rent and Possession lawsuit for possession of the premises and for post-petition amounts owed, to pursue its rights as a Landlord and to proceed with additional recovery under the terms of its Lease Agreement and pursuant to the laws and statutes in the state of Missouri; and for such other and further relief as the Court deems just and proper.

RESPECTFULLY SUBMITTED,

STEINBERG & STEINBERG, L.L.C.

/s/ Les A. Steinberg

Les A. Steinberg, #36839 / #36839MO

Steinberg & Steinberg, L.L.C.

655 Craig Road, Suite 338

St. Louis, Missouri 63141

Telephone: (314) 994-9400

Facsimile: (314) 985-1018

Email: les@steinberglaw.com

ATTORNEY FOR CREDITOR/MOVANT

SUNNYDALE MOBILE HOME PARK, LLC

CERTIFICATE OF MAILING/SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on December 11, 2014, with the United States Bankruptcy Court, and has been served on the parties of interest via e-mail by the Court pursuant to CM/ECF as set out on the Notice of Electronic filing as issued by the Court or in the alternative has been served by depositing a true and correct copy of same enclosed in a postage prepaid, properly addressed envelope, in a post office official depository under the exclusive care and custody of the United States Postal Service within the State of Missouri on those parties directed by the Court on the Notice of Electronic Filing issued by the Court as required by the Federal Rules of Bankruptcy Procedure and the Local Rules of the United States Bankruptcy Court.

/s/ Les A. Steinberg

Electronic Mail Notice List

The following is the list of attorneys who are currently on the list to receive email notices for this case:

Wesley C. Gotschall

John V. LaBarge, Jr.

Office of the United States Trustee

Manual Notice List

The following is a list of parties who are not on the list to receive email notices for this case (who therefore require manual noticing):

Hal Bradley Teeter
37 Greendale Drive
St. Charles, Missouri 63301